

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:19-cr-0068
)	
LOUIE ISON MANGAMPAT,)	
)	
Defendant.)	
)	

ORDER

BEFORE THE COURT is the motion of the United States to continue the trial in this matter, currently scheduled for May 10, 2021. (ECF No. 102.) For the reasons stated herein, the time to try this case is extended up to and including July 26, 2021.

On April 22, 2021, the United States filed a motion to continue the trial date. (ECF No. 102.) As a basis for the request, the United States asserts that it “is concerned that its international witness may experience unusual difficulty traveling to the United States for trial due to the COVID pandemic.” *Id.* at 1. Currently, five of the United States’ witness are expected to travel from international locations to the U.S. Virgin Islands for the trial in this matter. Three of those witnesses are in the Philippines. The United States asserts that

[t]he Centers for Disease Control currently lists the Philippines at a Level 4 Travel Advisory, the highest level. They began their latest lockdown on March 29, 2021. That lockdown eased on April 12, 2021 for certain essential workers, but the Travel Advisory remains Level 4. Therefore, witnesses returning to the Philippines are required to quarantine for two weeks upon arrival.

Id. at 1. Another witness is currently on a ship stationed in Greece. According to the United States,

[c]urrently the Greece Embassy indicates that Greece is in lockdown due to COVID. This witness is a citizen of Israel and is due to return there at the end of April where he will be required to quarantine for two weeks. The quarantine will end the earliest May 11, 2021. At that time the witness will be required to pass a COVID test and only then will he be permitted to leave quarantine.

Id. at 2. Given these concerns, the United States requests that the Court continue the trial in this matter for thirty days. *Id.*

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In response to the COVID-19 pandemic, the Chief Judge of the District Court of the Virgin Islands has entered a general order concerning operations of the Court. The Chief Judge has thus far extended the order eleven times, finding that the ends of justice require excluding March 18, 2020, through April 30, 2021, from the Speedy Trial count in all criminal matters.

To date, the COVID-19 virus has claimed more than 573,000 lives (27 of which have been in the U.S. Virgin Islands). Current testing indicates that the rate of contraction of the virus is slowing in recent weeks. Notwithstanding the decrease in the incidence of COVID-19 in the Virgin Islands over the past few weeks, the Court finds that a continuance of the trial date in this case is in the best interest of justice. COVID-19 continues to present an unpredictable threat to public health and safety. In light of these circumstances, the Court finds it necessary and appropriate to proceed with caution. Social distancing—specifically avoiding gatherings of more than 10 people and maintaining a distance of at least 6 feet from others—remains the most effective check against the COVID-19’s transmission. Moreover, this case in particular presents significant challenges surrounding COVID-19 transmission risk and travel restrictions as the majority of the United States’ essential witnesses are foreign nationals. Indeed, three witnesses are from the Philippines, one witness is in Barbados, and one witness is from Israel, but currently in Greece where there is a COVID-19 lockdown. Given the continuing dire circumstances faced by the U.S. Virgin Islands and the United States as a whole, the Court finds that extending the period within which Defendants may be tried under the Speedy Trial Act is necessary for the protection and well-being of the Defendants, the jury, the prosecutors, the witnesses, the Court’s personnel, and the general public at large.

The premises considered, it is hereby

ORDERED that the motion of the United States, ECF No. 102, to continue the trial in this matter is hereby **GRANTED**; it is further

ORDERED that the time beginning from the date of this order granting an extension through July 26, 2021, shall be excluded in computing the time within which the trial in this matter must be initiated pursuant to 18 U.S.C. § 3161; it is further

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ORDERED that the trial in this matter previously scheduled for May 10, 2021, is **RESCHEDULED** to commence promptly at 9:30 A.M. on July 26, 2021, in St. Thomas Courtroom 1; and it is further

ORDERED that the deadlines set by the Court's January 21, 2021 Order are extended as follows: (1) the deadline for the parties to file their pretrial brief is extended to July 19, 2021, and (2) the deadline for the parties to provide the Clerk of Court with a USB Flash Drive containing electronic versions of exhibits is extended to July 21, 2021.

Dated: April 28, 2021

/s/ Robert A. Molloy
ROBERT A. MOLLOY
Chief Judge